

# **EXHIBIT 161**

# Fulton County

## SEB2020- 027

# ELECTION DAY ISSUES

**Exhibit**  
**FCD 0025**  
Barron - V2

## Election Day Issues

### Polls opening Late-

- 12 Locations opened late- 21-2-403

Adams Park Library-  
Camp Truitt Senior Center-  
Clifton Church-  
Jackson Warren T School-  
Lindsay Street Baptist-  
Morris Brandon-  
Park Tavern-  
Pittman Park-  
Southwest Art Center--  
The Fairmont-  
Wills Park Rec. Center-  
Woodland Elem. School-

- Two polls received the wrong equipment 21-2-267, SEB 183-1-12-.09 (2), 183-1-12.11 (c)  
“I showed up to vote at 6:45am. At 7am they were still not ready. We were told at 7:30 that they were waiting on supplies. The polls did not open until 7:50am. Then it took another 40 minutes to for voting to begin”

## Polling Location Changes-

- Voters at the incorrect polling location due to poll location changes and reports they received no notice of change
  - There were 45 polling locations that were changed – 8 due to renovations 1 closed and 32 due to COVID -19 closures or concerns (4 unk) according to Fulton County
  - Many voters received a notice in the mail that was dated May 22, 2020 but was not received until after the election on June 9, 2020.
  - Created confusion and delays at polls with voters showing up at the incorrect location and not being able to find where they should go

## Long Lines

- Overwhelming biggest complaint was the long lines and the slow rate the line was progressing. (Wait times up to 6 hours)
  - Long lines were a results of :
    - Assigning too many voters to poll locations with not enough resources to process in a timely manner. For example Park Tavern that had approximately 16 thousand voters assigned to the location on Election Day.
    - Poll Worker lack of training- Led to delay in setting up/ operation of / and trouble shooting basic issues with equipment
    - Wrong equipment and or supplies not available- created delays in waiting for equipment and supplies to be delivered

- Inability of poll managers and poll workers to contact the Elections Office
- Poll managers expressed difficulty in reaching the elections office to report issues / requesting assistance/ verifying voter information etc.
- Delay in technical support- Christian City requested a technician at 7:30 am and did not arrive until 3:30 pm
- Complainants report the reason for the long lines were- Not enough Poll workers, poll workers not properly trained, and polls opening late.
- 49 % of poll managers expressed that they did not feel they were adequately trained in operating the voting machines.
- 35 % of poll managers did not believe they had adequate staff on Election Day

- ADA Issues-

- Second Ponce de Leon Baptist Church- no headsets (ATI) available at the poll site for a Voter who experiences blindness to cast a private ballot. 21-2-379.21, 21-2-385, 21-2-409
- Peachtree Hill Recreation Center Polling Site- voter who experiences blindness could not independently verify information and party affiliation on the tablet upon arrival- no head sets (ATI) or controller available on site upon arriving- was delivered to site and was able to eventually vote after four hours.



- Multiple poll locations without required signs posted- (Also issue in August Runoff)
  - Card of Instruction sign-(2 cts) SEB Rule 183-1-12.02(3)(d)(7), 21-2-430, 21-2-45 (a)
  - Notice of Penalties- 2 cts.(2) 21-2-430
  - Voting Rights Poster-21-2-403
  - Voting Instructions SEB rule 182-1-12.02 (3) (d) (7) 21-2-328 ©(2), 21-2-375 © (2)
  - Notice of Elderly 21-2-409.1
- No oaths signed by poll workers (Messiah precinct and Pittman Park) 21-2-93, SEB 183-1-12-.10 (5)
- No seal on scanner-21-2-375 (3)
- No Poll worker badges- (Pittman Park) 21-2-97
- St James Methodist Church precinct- Advised two voters they did not have a extended hours paper ballot with the PPP available for them to vote. Zeljka Boic-Bakaric VR 1077400-Both cast ballots without PPP on ballot. 183-1-12.11 2(b) Duty to issue correct ballot

# Training

- Lack of Training big issue-21-2-99
- Most Poll Managers were not new, but new to this equipment
  - Most poll workers had little if any training on the actual machines
  - The online training that Fulton County offered did not properly prepare the elections staff to conduct the election.
  - They did not know how to set the equipment up.
  - They did not know how to deal with issues such as paper jams and error messages
  - They had great difficulty in reaching anyone at Fulton County to get answers
  - Some precincts had techs and some did not.
  - Poll workers expressed not having enough training in provisional ballots, emergency ballots, and extended hours procedures
  - Poll managers voiced complaints regarding instructions that were not clear
  - Poll managers requested more hands on training, with smaller class size
  - Basic trouble shooting training on equipment for the poll workers
  - To include mock set up and closing
  - Training in all the new forms with check list for each package at the end of the night to make sure everything is included.



## EQUIPMENT ISSUES as reported by Poll Managers

### Poll Pads-

- False positives when scanning Drivers License- (The search looks for various match points- Up to the poll worker and the voter to verify the information is the voter.)
- Failed to show VR#
- Needed to be rebooted
- Would go offline/Failure to sync
- If Voter access card not inserted into encoder all the way the card would not properly encode.
  - This was reported by poll workers and voters- when the card would not work or brought up “this card has already been voted” message, the voter had to go back to have the card encoded. Slowed the process.( This is a training issue that needs to be stressed that the card has to be seated securely to encode properly.)
- BMD's
  - Failed to power on- (Training issue of how to set up and power on)
  - Display asking for code-(Training issue)
  - Need to be reset
  - Error signals- (Training in response to)
  - Stopped working- (Training in set up and power supplies)
  - Invalid activation code- (Training)
  - 8:30 -9 pm BMD's started to shut down- (power supply setup)

## Scanner

- Paper jams- repeated complaint-
  - Some did not know how to clear and waited on technician to respond to clear-
    - (Poll workers need training in how to clear)
  - Lost Power- (Training on power supply set up)
  - Metal box for scanner in Fulton County created repeated paper jams
    - Poll managers report that the design of the box has an internal tray that prevents the paper from dropping all the way in and created the jams. – (train staff on how to clear and look at a more permanent solution to the design)
  - UPS failed- (power set up)
  - Had to be rebooted
  - Too slow

## Supplies and forms not provided on Election Day

- No recap forms provided to the precincts- to resolve, as the machines and paperwork were submitted to the warehouse the recap forms were completed by other staff with the managers being contacted days later to come in and sign the forms.
- Some did not have the Poll Zero Count Sheet
- Some did not have the Numbered list form
- Some did not have Provisional inner and outer envelopes
- Not enough seals provided
- Printer Paper
- Power Strips
- Missing cords for poll pads
- Missing Extension cord for carrier box-requested and did not receive until 8:30 pm
- Missing Log on password for poll pads
- 54 % of poll managers advised they did not have adequate supplies for election day

Recommendation:

We recommend that Fulton County BOER and Fulton County Director Of Election Richard Barron be bound over to the Attorney Generals Office for:

Georgia Election Code Annotated 21-2-403 Time for Opening of polls. When at least 12 polling locations were not open and available for voting at 7:00 AM on June 9, 2020. (12 counts)

Georgia Election Code Annotated 21-2-379.21, 21-2-385, 21-2-409. (2Counts) When they failed to provide at least one electronic ballot marker that meets the requirements as set forth in this part that is accessible to individuals with disabilities.

Georgia Election Code Annotated 21-2-401, 183-1-12-6b when they failed to provide the necessary Election Day forms- Recap sheet, Zero Count Sheet, Numbered list form, inner and outer provisional ballot envelopes

Georgia Election Code Annotated 21-2-99 Instruction of poll officer and workers in election procedures-

Georgia Election Code Annotated 21-2-267, and State Election Board Rules 183-1-12-.09(2), 183-1-12.11(c). Polling Place-Equipment; Arrangement Hapeville and Fairburn precincts did not receive the correct voting equipment delivered. On Election day their voting equipment had to be swapped back creating a delay.

Georgia Election Code 21-2-430, 21-2-45(a) and State Election Board Rules 183-1-12.02(3)(d)(7). Polling Place-Equipment; Arrangement Birmingham Falls Elementary and Cambridge High School did not have the Card of Instructions sign displayed. (2 Counts)



Georgia Election Code 21-2-430 Instruction cards and Notice of Penalties. Christian City and Cambridge High School did not have the Voting Rights Poster displayed. (2 Counts)

Georgia Election Code 21-2-328(c)(2), 21-2-375(c)(2) and State Election Board Rules 182-1-12.02(3)(d)(7) Voting Instructions. Birmingham Falls Elementary School did not have a Voting Instruction poster displayed.

Georgia Election Code 21-2-409.1 Notice of Elderly or Disabled. Birmingham Falls Elementary and Cambridge High School did not have Notice of Elderly or Disabled sign displayed. (2 Counts)

Georgia Election Code 21-2-93 and State Election Board Rule 183-1-12.10(5) Notice oaths signed. Messiah Precinct and Pittman Park did not have sworn oath documents from poll workers. (2 counts)

Georgia Election Code 21-2-375(3) No seal on scanner. Messiah Precinct did not have the required seal on the voting scanner.

Georgia Election Code 21-2-97 No Poll Worker badges. Pittman Park Precinct were not wearing the required Poll Worker identification badges.

Georgia Election Code 21-2-328(c)(2), 21-2-375(c)(2), 21-2-379.7(d)(2), 21-2-292, 21-2-450(a)(1), and State Election Board Rules 183-1-12.02(3)(d)(7), Failure to post Sample Ballots Camp Truitt Senior Center and Birmingham Falls Elementary did not have the required sample ballots displayed. (2 counts)